

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

BRIAN R. DEVINE, et al. on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

CITY OF HAMPTON, VIRGINIA,

Defendant.

Civil Action No. 4:14cv81-AWA-LRL

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF MOTION TO FILE
UNREDACTED SCHEDULE B OF SETTLEMENT AGREEMENT UNDER SEAL**

COMES NOW Plaintiffs, Brian Devine, et al., by counsel, and for their Memorandum in Support of Motion to File the Unredacted Schedule B of Settlement Agreement Under Seal, state as follows:

The Parties have reached a resolution of all matters in controversy between them and have jointly moved this Court to enter a Consent Dismissal Order [Doc. 94, Exhibit 1]. The resolution has been memorialized in a Settlement Agreement and a partially redacted copy of same has been publicly filed with the Court [Doc. 95, Exhibit 1]. The Settlement Agreement contains a Schedule B that lists the identity of each Plaintiff and the corresponding individual monetary settlement amount for each Plaintiff. Per the Court's instruction, Schedule B of the publicly filed Settlement Agreement has been redacted to remove the corresponding name for each individual monetary settlement amount.

A district court may seal documents in instances such as this where "the public's right of access is outweighed by competing interests." *Ashcraft v. Conoco, Inc.*, 218 F. 3d 288, 302 (4th Cir. 2000). Such redaction is necessary here to protect the individual privacy of the law

enforcement officer Plaintiffs and outweighs the public's right of access because the terms of the Settlement Agreement, the total settlement amount, and the individual settlement amounts have all been publicly filed [Doc. 95, Exhibit 1].

Wherefore Plaintiffs' hereby move the Court to file the Settlement Agreement with the unredacted Schedule B under seal to aid in the Court's review of the resolution while also protecting the law enforcement officers' privacy.

Respectfully submitted,

BRIAN R. DEVINE, et al., Individually, and
on behalf of themselves and all others similarly
situated,

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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November, 2015, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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